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APPLICATION NO. **FILING DATE** FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

09/301,811

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HURST

242/044

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ARENA PHARMACEUTICICALS, INC 6166 NANCY RIDGE DR. SAN DIEGO CA 92121

EXAMINER

SIU, S

ART UNIT

PAPER NUMBER

1631

DATE MAILED:

03/21/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Application No. Applicant(s)			· · · · · ·	
Examiner		Application No.	Applicant(s)	
Examiner Art Unit 1631	Office Action Summary	09/301,811	HURST ET AL.	
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(s) FROM THE MAILING DATE OF THIS COMMUNICATION. E-bertwicks of time may be available under the processor of 37 CFR 1.136 (o). In or event, however, may a reply be timely filled able to 30 (o) MONTHS from the mailing date of this communication, may be timely the distribution to the mailing date of this communication, may be timely be timely filled able to 30 (o) MONTHS from the mailing date of this communication, may be timely a set of the communication and the set of communication is 11 No period for reply specified before the place of the communication and the set of communication is 11 No period for reply specified before the place of the communication of the set of the communication and plant from digitations. See 37 CFR 1.704(b). Status 1		Examiner	Art Unit	
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THE MAILING DATE OF THIS COMMUNICATION. Edensions of time may be available under the provision of 3C PCR 1.136 (a). In no event, however, may a reply be timely filed other SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified price is less than think (70) darys, a reply withis the studiory minimum of think (30) darys will be coasisted frinchy. Failute to reply within the set or adended period for reply will, by studied, cases the application to become ABANDONED (38 U.S.C. § 133). Any reply received by the Office use then the new mains after the mailing date of this communication, even if timely filled, may reduce any search glader time adjustment. See 97 CPR 1.784(b). Status 1) Responsive to communication(s) filled on Since this spelication is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) India 10-36 is/are pending in the application. 4) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The proposed drawing correction filed on is/are objected to by the Examiner. 11) The proposed drawing correction filed on is/are objected to by the Examiner. Priority under 35 U.S.C. § 119 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * O None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached defice action for all store for the certified copies of the certified copies of the cert				
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15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). 19) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)	Acknowledgement is made of a claim for domestic priority under 35 0.5.C. § 119(e).			
16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)	Attachment(s)			
	16) Notice of Draftsperson's Patent Drawing Review (PTO-948)	19) Notice of Informa		

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DETAILED ACTION

Election/Restrictions

- Claims 1 and 10-33, drawn to a computer-based method for identifying chemical compounds, classified in class 702, subclass 22.
- 2. Claims 34-36, drawn to a computer-based method for identifying biological compounds, classified in class 702, subclass 20.

The inventions are distinct, each from the other because of the following reasons:

Inventions 1 and 2 are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different functions and effects.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen C Siu whose telephone number is 703-308-7522. The examiner can normally be reached on M-F, 7:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, M Woodward can be reached on 703-308-4028. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-4242 for regular communications and 703-308-0294 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Stephen Siu

JOHN S. BRUSCA, PH.D. PRIMARY EXAMINER